

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	
)	
Plaintiff,)	ORDER (AMENDED)
)	
vs.)	
)	
Jose Manuel Santos,)	
)	Case No. 1:16-cr-034
Defendant.)	

On September 9, 2016, defendant filed a motion requesting to be released to a residential facility pending final disposition of this matter. In doing he notes that the court has yet to schedule a trial and that he has been held in state and federal custody on his pending charges for a combined 433 days and counting.

The court appreciates defendant's frustration regarding the status of his case. Nevertheless, the court concludes that there have been no material change of circumstances since it ordered defendant detained on February 16, 2016, to warrant his release. (Docket No. 54). Moreover, there is presently no room for defendant at any of the residential facilities that contract with the Pretrial Services Office. Accordingly, defendant's motion (Docket No. 126) is **DENIED** without prejudice. To the extent defendant is dissatisfied with the court's decision, he may exercise his speedy trial rights to move his case along, including filing a motion to sever his case from the remaining defendants.

IT IS SO ORDERED.

Dated this 20th day of September, 2016.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr., Magistrate Judge
United States District Court